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*Attorneys for Intervenor-Defendant  
Sable Offshore Corp.*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION**

CENTER FOR BIOLOGICAL  
DIVERSITY, et al.,

*Plaintiffs,*

v.

DOUG BURGUM, et al.,

*Defendants,*

and

SABLE OFFSHORE CORP.,

*Intervenor-Defendant.*

CASE NO. 2:24-cv-05459-MWC-MAA

**DECLARATION JANICE M.  
SCHNEIDER IN RESPONSE TO  
ORDER TO SHOW CAUSE WHY  
SANCTIONS IN THE AMOUNT OF  
\$250 SHOULD NOT BE IMPOSED  
(DKT. NO. 92)**

Hearing

Judge: Hon. Michelle Williams Court  
Courtroom: 6A

1 Pursuant to 28 U.S.C. § 1746(2), I, Janice M. Schneider, hereby declare:

2 1. I am a partner at Latham & Watkins LLP and counsel of record  
3 for Intervenor-Defendant Sable Offshore Corp. (“Sable”) in the above captioned  
4 action. I have personal knowledge of the matters recited herein, and if called upon  
5 to testify concerning them under oath, I could and would testify thereto. I submit  
6 this declaration in response to this Honorable Court’s “Order to Show Cause why  
7 sanctions in the amount of \$250 should not be imposed on Counsel, for their  
8 failure to appear” at the final pretrial conference in the above-captioned case. Dkt.  
9 No. 92 (Minute Order, Oct. 3, 2025).

10 2. I apologize to the Court for not attending the October 3, 2025  
11 final pretrial conference in this case. I was genuinely unaware that the pretrial  
12 conference was still on the Court’s calendar. I personally review all Court orders  
13 after they are issued, including the relevant orders here, and monitor upcoming  
14 court deadlines and dates for in-person appearances for my litigation. The  
15 December 2024 scheduling order at Dkt. No. 36 included a final pretrial  
16 conference at October 3, 2025 at 1:30 p.m., among other deadlines. But it was my  
17 understanding that the December 2024 scheduling order was no longer in effect  
18 due to the Court’s subsequent scheduling order at Dkt. No. 69 signed by Your  
19 Honor on May 5, 2025 (“May 2025 Order”).

20 3. On April 30, 2025, the Parties filed a Joint Stipulation to  
21 Amend Scheduling Order, requesting specifically “that the Court vacate and  
22 supersede its Civil Trial Order, Dkt. No. 36, with the following proposed schedule  
23 to resolve this case on cross-motions for summary judgment . . . .” Dkt. No. 67 at  
24 2. The Parties made that request because Plaintiffs’ claims in this case arise under  
25 the Administrative Procedure Act, and accordingly the Court’s review is based on  
26 the administrative record. *Id.* Therefore, the Parties requested to be excused from  
27 requirements of Local Rule 56-1 to 56-4 regarding the filing of a separate  
28

1 “Statement of Uncontroverted Facts” and Civil Trial Order, Dkt. No. 36. *Id.*

2 4. The Court approved the Parties’ proposed schedule for cross-  
3 motions for summary judgment in the May 2025 Order, which continued the  
4 requirement for mediation to a later date, but did not include a final pretrial  
5 conference or other pretrial deadlines. *See* Dkt. 69. I had understood the Court’s  
6 May 5 Order to establish the entire schedule for the case because the May 5 Order  
7 stated: “Upon consideration of the Parties’ Joint Stipulation to Amend the  
8 Scheduling Order, it is hereby **ORDERED** that the following schedule shall  
9 govern this case: . . . .” Dkt. No. 69 at 1.

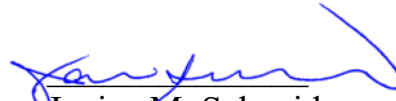
10 5. Upon receiving the email from Chambers on October 3, 2025,  
11 regarding the pre-trial conference, I immediately reached out to both counsel for  
12 Plaintiffs and Federal Defendants and organized a call with counsel for Plaintiffs  
13 who confirmed they were under the same understanding that the Court’s December  
14 4, 2024 Civil Trial Order had been superseded and that they were unaware that the  
15 October 3, 2025 final pretrial conference was still on calendar. *See* Exhibit 1.  
16 Additionally, upon receiving an automatic email notice from counsel for Federal  
17 Defendants that he had been furloughed due to the lapse in federal appropriations, I  
18 immediately reached out to his supervisors to alert them via email and spoke to the  
19 Deputy Chief of the Natural Resources Section. We were in the process of  
20 working cooperatively to develop an email to Chambers explaining the inadvertent  
21 failure to appear when this Honorable Court issued the show cause order. A copy  
22 of the email we worked with Plaintiffs’ counsel to develop and which was sent to  
23 Chambers on October 3, 2025 is attached as Exhibit 2.

24 6. As noted in the email to Chambers, on September 30, 2025, the  
25 Parties had conferred and filed a joint status report responding to the Court’s  
26 September 26, 2025 summary judgment order and explaining our intent “to confer  
27 and file a proposed schedule for further proceedings in this matter as soon as  
28

1 practicable” Dkt. No. 91, understanding that the then anticipated lapse in federal  
2 appropriations may require more time to meet and confer on a proposed schedule  
3 for the conduct of the case. At no time in the course of the conversations I  
4 participated in was there any understanding expressed that there was a final pretrial  
5 conference still on calendar later in the week.

6 7. In my almost 33-year career as an attorney, I have never missed  
7 a court hearing. I take my responsibility as an officer of the Court very seriously.  
8 I ask the Court not to impose sanctions based upon the circumstances here.

9  
10 I declare under penalty of perjury that the foregoing is true and correct.  
11 Executed on October 10, 2025 in Washington, D.C.

12  
13   
14 Janice M. Schneider